



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,151	11/12/2003	Michael R. Rothrock	PORTP004C1	7582

40518 7590 09/16/2005

LEVINE BAGADE LLP
2483 EAST BAYSHORE ROAD, SUITE 100
PALO ALTO, CA 94303

EXAMINER

THAI, HANH B

ART UNIT PAPER NUMBER

2161

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,151

Applicant(s)

ROTHROCK, MICHAEL R.

Examiner

Hanh B. Thai

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE filed 8/15/05.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-37 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 32-37 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Art Unit: 2161

1. This is in response to Request for Continued Examination filed August 15, 2005 in which claims 32-37 are pending.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 32-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Bournas et al. (US 6,061,679).

Regarding claim 32, Bournas discloses a computer-implemented method of searching for best matches in a table storing information for dynamic call routing, the method comprising:

- generating a first tree comprising first tree data (tree 302, Fig.3a, col.5, lines 6-16 and col.6, lines 8-16, Bournas discloses the first tree having first tree data “key mask of 1”);
- dynamically modifying the first tree data (col.9, line 40 to col.10, line 4);
- updating the first tree data to the dynamically modified first tree data (col.9, line 40 to col.10, line 4 and lines 23-29);
- traversing the first tree (col.6, lines 1-27 and col.14, lines 10-30); and
- generating a second tree comprising second tree data (tree 302, Fig.3a and col.6, lines 8-15, Bournas discloses the second tree having second tree data “key mask of 32”).

Regarding claim 33, Bournas discloses the method of claim 32, wherein generating the second tree comprises saving the information that is encountered when traversing the first tree in the second tree (col.6, lines 36-47).

Regarding claim 34, Bournas discloses the method of claim 33 further comprising traversing the second tree (col.6, lines 1-27 and col.14, lines 10-30).

Regarding claim 35, Bournas discloses a computer-implemented method of searching for best matches in a table storing information for dynamic call routing, the method comprising:

- generating a first tree comprising a first tree node having first tree data (tree 302, Fig.3a, col.5, lines 6-16 and col.6, lines 1-16, Bournas discloses the first tree having first tree data “key mask of 1”);
- receiving first and second values (col.6, lines 1-16, Bournas discloses a routing table with trees that has the values of 1, 32 and 64);
- building a second tree comprising a second tree node according to the second value (tree 302, Fig.3a and col.6, lines 1-16, Bournas discloses the second tree that has the second key value of 32);
- traversing the first tree node according to the first value (col.6, lines 1-27 and col.14, lines 10-30);
- traversing the second tree node according to the second value (col.6, lines 1-27 and col.14, lines 10-30); and
- editing information into the node of the second tree (col.8, lines 39-54 and col.10, line 23-29).

Art Unit: 2161

Regarding claim 36, Bournas discloses the method of claim 35 wherein editing comprises adding (col.8, lines 58-66).

Regarding claim 37, Bournas discloses the method of Claim 35 wherein editing comprises overwriting (col.5, lines 19-25 and col.8, lines 29-38).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Aref et al. (US 6,662,180 B1) disclose method for searching in large databases of automatically recognized text.

2. Li et al. (US 6,567,408 B1) disclose method and apparatus for packet classification with multi-level data structure.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B. Thai whose telephone number is 571-272-4029. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh B Thai
Examiner
Art Unit 2161

September 14, 2005



UYEN LE
PRIMARY EXAMINER